



Georgia-Pacific

2001-014-769

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General Services Administration
FAR Secretariat (MVP)
1800 F St., N.W., Room 4035
Washington, DC 20405
Attn: Laurie Duarte

Re: FAR Case 2001-014

I am writing to express my support for the Federal Acquisition Regulations (FAR) Council's proposal to repeal the Clinton administration's rule on federal contractor responsibility. The new regulations are deficient and should be revoked because they conflict with substantive tax, labor and employment, environmental, antitrust, and consumer protection laws – laws that already contain proven enforcement mechanisms and procedural safeguards, and provide for "expert" agencies to ensure employer compliance. The rule would require each prospective contractor, under penalty of criminal liability for false swearing, to certify the contractor's compliance with all federal, state and foreign labor, employment, tax, environmental, antitrust, and "consumer protection" laws and regulations over the previous three years.

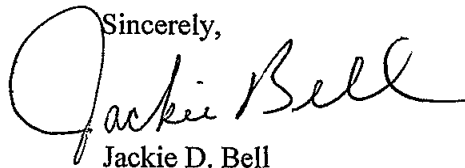
The rule would also force contracting officers to make determinations concerning the contractor's satisfactory compliance with such laws and regulations based on vague criteria, leading to inconsistent application.

Punitive and unnecessary, this rule would have a devastating effect on federal contracting, increasing costs to contractors and ultimately the taxpayer. Contrary to the spirit of earlier procurement streamlining reform, the rule would result in uncertainties, increased legal challenges, wasteful delays, and unwarranted new regulatory burdens. The rule lacks a rational basis because it has effectively removed any nexus between the government's determination of responsibility and a contractor's ability to perform a contract.

Throughout the rulemaking process no clear need for the regulation was ever articulated. There is no evidence that this modification of procurement law will influence federal contractors to increase compliance with federal laws or that such a change will improve the federal contract process.

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I urge the FAR Council to repeal the contractor responsibility rules.

Sincerely,


Jackie D. Bell
Director, Federal Government Affairs